IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE**

**and**
**THE HON'BLE MR JUSTICE C.V.RAMULU**

**WRIT PETITION NO : 15939 of 2004**

Between:

O.D.V.S.J.R. Prasad, S/o. Orirala Venkateswara Rao
China Ogirala Village, Vuyyuru Mandal, Krishna District.

**..... PETITIONER**

AND

1 The S.H.O., Vuyyuru Rural P.S., Vuyyuru, Krishna District.
2 B.V.Krishna Rao, Sub Inspector, (Ex.S.H.O.) 2nd Town Circle,

Vijayawada Police limits, Vijayawada, Krishna District.
3 Sri Kutumbarao, A.S.I. Vuyyuru Rural P.S.,
Vuyyuru, Krishna District.
4 S.Babu Rao, Circle Inspector of Police,
Vuyyuru Rural P.S., Vuyyuru, Krishna District.
5 The Commissioner of Police, Vijayawada City Police, Vijayawada,
Krishna District.
6 The Director General of Police, A.P. Lakdikapul., Hyd.
7 A. B.Venkateswara Rao, I.P.S., (Ex. Commissioner) D.I.G., Kurnool

Range, Kurnool, Kurnool Dist.
8 Velaga Sri Rama Krishna, S/o. V. Sangarshana Rao
R/o. Kaatoor Village, Vuyyuru Mandal, Krishna District.
9 Velaga Sambasiva Rao, W/o. Sangarashana Rao
R/o. Kaatoor Village, Vuyyuru Mandal, Krishna District.
10 Velaga Madhusudhana Rao @ Velaga Venkateshwara Rao,
R/o. Kaatoor Village, Vuyyuru Mandal, Krishna District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue Writ of Habeas Corpus directing the Respondents to produce the Petitioner's father Sri Ogirala Venkateswara Rao S/o. Venkata Subba Rao, R/o. Chinna Ogirala Village Vuyyuru Mandal, Krishna district before this Hon'ble Court.

**Counsel for the Petitioner: MR.B.SUDHAKAR REDDY**

**Counsel for the Respondent Nos.1 to 7: THE ADVOCATE GENERAL**

**Counsel for the Respondent Nos.8 to 10: None appeared.**

**The Court made the following :**

ORAL ORDER: (per the Hon'ble the Chief Justice)

This petition is filed purporting to be a petition seeking a writ of habeas corpus. Petitioner's father is missing and on the basis of a complaint, police has registered FIR No.14/2004 dated 19-3-2004 at Vuyyuru Police Station.

S.Babu Rao, Circle Inspector of Police, Vuyyuru Rural Police Station, Krishna District has filed a detailed affidavit stating that as per the complaint, petitioner's father is missing since 18-3-2004 and on registration of the crime, investigation was undertaken in right earnest. Two teams were set up for searching and tracing out the petitioner's father and the said teams moved entire Krishna District as well as part of West Godavari and Guntur Districts but he could not be traced.

We need not go into the details as supplied in the affidavit of the Circle Inspector of Police but we would like to mention that despite best efforts on the part of the investigating agency, it was not possible to trace out the petitioner's father so far. We also need not go into the details of the averments made in the petition. Even as per the petitioner's allegation, his father is not under any illegal detention. He is missing.

We will dispose of the writ petition with direction to the official respondents to

continue investigating the case on whatever information that might come to the notice of the investigating officer or on clues that may be brought to the notice of the investigating officer by the petitioner or any of his relations and on conclusion of investigation, appropriate report will be filed in competent court.

---

DEVINDER GUPTA, CJ

14-9-2004

---

C.V.RAMULU, J

tvr

To

1 The S.H.O., Vuyyuru Rural P.S., Vuyyuru, Krishna District.
2 B.V.Krishna Rao, Sub Inspector, (Ex.S.H.O.) 2nd Town Circle,

Vijayawada Police limits, Vijayawada, Krishna District.
3 Sri Kutumbarao, A.S.I. Vuyyuru Rural P.S.,
Vuyyuru, Krishna District.
4 S.Babu Rao, Circle Inspector of Police,
Vuyyuru Rural P.S., Vuyyuru, Krishna District.
5 The Commissioner of Police, Vijayawada City Police, Vijayawada,
Krishna District.
6 The Director General of Police, A.P. Lakdikapul., Hyd.
7 A. B.Venkateswara Rao, I.P.S., (Ex. Commissioner) D.I.G., Kurnool

Range, Kurnool, Kurnool Dist.

8 2 CCs to the Advocate General, High Court Buildings, Hyderabad

(OUT).

9 2 CD copies.